

Transgender Equity Council Agenda

Regular Meeting

December 8, 2022 - 05:30 PM

Minneapolis Central Library Room N-202

Members : Dianna Anderson (Co-Chair), Olivia St John (Co-Chair), Lex Brand, Billie Kurek, Ian McGriff, Janna Pressman, Becca Sanborn, Ameera Sultana Khan (Quorum - 8)

Members Absent: Malaysia Abdi, Nomi Badboy, Mae Brooks, and Destiny Xiong

Others Present: Jess Braverman (Gender Justice)

Staff : Track Trachtenberg

Call To Order

1. Roll Call.
2. Adoption of the agenda.
3. Acceptance of minutes

[Aug 11, 2022 Transgender Equity Council](#)

Discussion

4. Goodbye and thank you to leaving members - *Dianna*
 1. Leaving members: Ameera, Taren, Olivia
5. Welcoming new members / prep for January strategic planning - *Olivia*
 1. January meeting will be strategic planning – bring all of your ideas about what you want the TEC to do next year!
 2. Do we want to cancel the December subcommittee meetings to give you all a break while we recalibrate for January? Yes!
6. VOTE to adopt 2023 schedule: 2nd Thursdays of the month, 5:30-7:30 PM - *Olivia*
 1. Meeting dates: 1/12/23, 2/9/23, 3/9/23, 4/13/23, 5/11/23, 6/8/23, 7/13/23, 8/10/23, 9/14/23, 10/12/23, 11/9/23, 12/14/23
 2. Tentative meeting location plan – we can pick locations for meetings in general once we have the full new membership there in January, but will do downtown library one more time for January meeting
7. Update on ADA accommodation requests for hybrid meetings - *Dianna*
 1. To pursue an ADA accommodation request for hybrid meetings through the City process, only the people who specifically request a personal accommodation would end up getting to attend meetings hybrid (if the request was approved).

If you would benefit from being able to attend meetings hybrid, connect with Track – you don't need to share your particular diagnosis, but you do need to share the reason you would benefit from hybrid meetings, because we need to include that in the letter to the City Attorney's Office. They may ask for medical documentation later, FYI

8. Non-gendered language in TEC meetings - *Dianna*
1. Please don't say "you guys" to address the group!
9. Update on Youth on Boards pilot - *Olivia*
1. Context: Youth Coordinating Board and Neighborhood and Community Relations department are starting a pilot program supporting high school-age members of the City's Youth Congress to join appointed boards – the TEC was suggested as one of the pilot boards
2. Two youth would join, starting in February. TEC can choose whether or not the youth members count for quorum (if they do, quorum would increase to 9). They would remain through the end of the school year, but hopefully return the following year – if not, two new members would join for the full next school year
 1. Don't count for quorum
3. Looking for someone on the TEC to be an "adult mentor" and meet with one or both youth before or after TEC meetings
 1. Maybe: Janna, check in with folks next month also
4. Opportunity for tip sheet and/or training on how to best support youth joining the space – do you want both? If you want a training, do you want it at the January meeting (last one before the youth members join/when you'll be doing strategic planning) or February meeting (first one with the youth members)
 1. Come to January meeting!
5. Track will be presenting to Youth Congress on January 12th at 4:30 PM-ish at the downtown library (just before our January TEC meeting) for 5-10 minutes about what the TEC is and what they would be involved in, so Youth Congress members can decide who wants to join. Does anyone want to join for that presentation? Would be cool for them to meet a TEC member if easy, but no pressure if not
 1. Maybe: Janna, Billie
10. Update on TEC recommendations - *Olivia + Track*
3. Recommendation updates (see link below)
 - Can we get non-MPD responses to both encampments and LGBTQ+ bars?
4. Executive Order
 - Mayor passed an Executive Order Fri Dec 2nd doing what's in his legal power to protect access to gender-affirming healthcare! Big win – congratulations!! Anyone who was there want to share more about it?
5. Budget debrief
 - Municipal ID amendment did not pass (lost 6-7)
 - Amendments that passed (big wins – congratulations!!! Shout out to everyone who helped write the TEC recommendations, Dianna for presenting them, and Nomi for testifying)

- Funding for a Division Director-level LGBTQ+ Equity position
 - Funding to get a community organization to create a directory of LGBTQ+ competent healthcare providers
6. Share-back from Policy subcommittee
- Main conversations around encampment response (does the City have a winter policy? What is happening with people's possessions), Municipal ID versus Licenses for All (want to learn more!), potential for City-level action on legal protections around restroom access

[2022 TEC Recommendations – Dec Final Updates](#)

Presentation

11. Gender Justice - *Dianna introduces presenters*

1. Jess Braverman – legal director at Gender Justice
2. Litigate cases, policy + legislation
3. Recent cases:
 1. Abortion wins!
 2. Section 1557 of ACA (prohibits discrimination in healthcare settings) prohibits discrimination against trans people – two cases that were successful there
 3. Anoka-Hennepin case win that guaranteed trans students can use the right bathroom and locker room (in addition to other districts – a kindergarten, a middle school, and a high school)
 1. If a school is not letting a student use the right bathroom or locker room, that's a clear-cut win for Gender Justice, and let them know. The exception might be a school that's religious – not just generally Catholic, but run by the diocese
 4. Suing USA Powerlifting re: ban on trans women in women's sports
 1. MN was first state in the country to expressly protect trans people in our anti-discrimination law, and Minneapolis was the first City. There's a category for trans people in the MN Human Rights Law
 2. In federal anti-discrimination law, there aren't specific trans protections – courts have had to say that trans discrimination is sex discrimination. In MN we don't have to do that – but our courts have gotten that wrong (2001, sided with an employer on a bathroom case – Gender Justice is trying to get that case overturned, but they don't have someone suing to address it, so they can't actually get it overturned)

1. If you know someone who is being forced to use the wrong bathroom and might be willing to sue, let them know – they need a plaintiff!
2. Public accommodations are okay – it's only employment that's messy because that case hasn't been relitigated yet. Public businesses, gyms, etc are all still public accommodations
3. Not sure if they could win a case for someone who wanted a gender-neutral restroom, but would happily try – Building Code is a barrier, and really hard to change in the state legislature
3. Should be a straightforward case but is slow because you have to explain trans issues to the courts
4. The case is MN-specific, but there have been good cases around the country where the trans athletes have won (Idaho, Indiana, West Virginia) - those are generally challenging laws, not individual organization's policies
5. Suing Department of Corrections for consistently putting trans women in men's prisons and denying gender-affirming surgery. Currently in court
6. Trans rights cases tend to do well in court, but government institutions tend to be conservative about how they predict courts will decide
7. Current Supreme Court case (303 Creative – potential wedding website owner who doesn't want to do websites for gay weddings. Brought as a speech case, not a religion case, because that's more likely to succeed)
 1. Could apply to anything because it's a speech case – future discrimination wouldn't have to be based on your religious beliefs, could happen to lots of different identity groups, so could weaken a lot of anti-discrimination laws
 2. Court will rule in designer's favor, but it's a question of how the opinion is written and therefore how much discrimination it allows. Will probably (hopefully?) be limited to custom-made things, not just any already-existing object you buy in a store
8. High school athletes are good under MN Human Rights act, and the MN high school policy is trans-inclusive, but less clear if trans athletes are protected under Title IX, because it depends whether you look at pre- or post-Bostock cases. Probably yes, but the Supreme Court hasn't answered the question of what sex discrimination means in the context of gendered spaces, only on whether you can fire someone for being trans
9. When there's an agency that enforces a law that a judge hasn't yet spoken on, they get to define what that law/ordinance means. That means City Civil Rights gets to decide how our protected classes are enforced unless a judge has

decided otherwise – so can have Civil Rights write guidance on what our ordinance(s) mean. Courts can disregard it, but will probably give it a lot of deference

Adjournment

Next Transgender Equity Council meeting: Not Applicable

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- Your name, residential address, email or phone number, or other personal contact details;
- Your comments at the meeting, whether part of a formal hearing or comment period or otherwise; and
- Any submissions you provide before or after the meeting which are included as part of the public record of the meeting.

A portion of this meeting may be closed to the public pursuant to MN Statutes Section 13D.03 or 13D.05.

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